

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

ANTONIO WASHINGTON, #127522,
Plaintiff,

V.

BOB RILEY, et al.,
Defendants.

CIVIL ACTION NO. 2:06-CV-1082-MHT
[WO]

MOTION FOR LEAVE TO FILE AMENDED COMPLAINT

PURSUANT TO FEDERAL RULES OF CIVIL PROCEDURE AND

18 USC §§ 241 AND 242; 42 USC §§ 1985, 1986 AND 1988 U.S. CODE SERVICE

Comes now the Plaintiff Antonio Washington, by and through PRO/SE in the above style Civil Action respectfully moves this district Court on Motion for leave to file Amended Complaint Pursuant to Federal Rules of Civil Procedure and 18 USC §§ 241, 242 and 42 USC §§ 1985, 1986 and 1988 U.S. Code Service to be directed to Bob Riley, et al., Beverly Spivey and the Barbour County Environmental Health Department Commission for conspiring to interfere, reckless disregard for Plaintiff health hazard overcrowded living conditions and force to drink foul greasy contaminated water with dilapidating plumbing system from overcrowded capacity over load with tripple capacity bunks making it impossible to maintain security and health standard requirement in 5th thru 10 dorms at Easterling Correctional Facility in violation of Plaintiff 8th and 14th Amend U.S.C.A. Const.

DATE: 12-26-06.

Respectfully Submitted: Antonio Washington

CERTIFICATE OF SERVICE

I hereby certify this 26th day of December 2006, that I have served a true and correct copy of the same upon the defendant's Attorney by placing in the U.S. postal service prepaid.

Antonio Washington

Antonio Washington, Plaintiff
Easterling Correctional Facility
200 Wallace Drive
Clio, AL 36017

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

RECEIVED

DEC 27 2006

ANTONIO WASHINGTON, #197522,
Plaintiff,

CLERK
U.S. DISTRICT COURT
MIDDLE DIST. OF ALA.

V.

CIVIL ACTION NO. 2:06-CV-1082-MHT
[WO]

BOB RILEY, et al.,
Defendants.

AMENDED COMPLAINT PURSUANT TO THE
FEDERAL RULES OF CIVIL PROCEDURE

Comes now the Plaintiff Antonio Washington, Pro se in the above style Civil Action bring this Amended against Defendants BOB RILEY, et al., Beverly Spivey, Director Barbour County Environmental Health Department Commission for acting in concert with Defendants Bob Riley, et al., by defendants Beverly Spivey and the Barbour County Environmental Health Department Commission acting under color of State Law pursuant to § 22-2-2(4) and 22-3-5(3), Ala. Code 1975 failed to uphold their statutory duties to inspect Easterling Correctional Facility drinking water, dorms overcrowding with too many inmates, bunks with unhealthy living space, disease carrying rats, dilapidate plumbing without enough sinks and toilets to handle the tripple capacity inmate population growth coupled with poor ventilation interfering with Plaintiff Eighth and Fourteenth Amendment Rights to be free

From these inhumane health hazard living conditions with contaminated water used to cook plaintiff food 3 times a day, Plaintiff is forced to drink foul tasting greasy brown coloration water and bath in contaminated water that is not meaningfully tested by defendants for Plaintiff human consumption as required by the State and Federal pure water Act.

Plaintiff bring this Amended Complaint pursuant to 42 USC §§ 1983, 1985, 1986, 1988 and 18 USC §§ 241 and 242 of the United States Code Service and in support Plaintiff states as follows:

DEFENDANTS NAMES AND ADDRESSES BELOW:

1. Defendant Bob Riley, State Capitol, 600 Dexter Avenue, Room 103, Montgomery, AL 36130
2. Richard Allen, 301 South Ripley Street, Montgomery, AL 36130
3. Gwendolyn Moseley, 200 Wallace Drive, Clio, AL 36017
4. Beverly Spivey + Barbour County Environmental Health Department Commission % David Nix, P.O. Box 219, Clayton, Alabama 36016

GROUND ONE: Defendants Bob Riley, Richard Allen and Gwendolyn Moseley in conspiracy with other defendants herein to interfere with Plaintiff Eighth and Fourteenth to be free from cruel, health hazard and unusual conditions.

SUPPORTING FACTS: Defendants Bob Riley being the Governor of the State of Alabama, Defendant Richard Allen being the prison Commissioner for the State of Alabama and Defendant Gwendolyn Mosley being the warden

of Easterling Correctional Facility for the Alabama Department of Corrections acts in concert with other defendants herein to interfere with Plaintiff 8th and 14th Amendment Civil Rights by forcing Plaintiff to live in overcrowded, lack of security health hazard situation with contaminated drinking water, dorms 5 through 10 with too many inmates and bunks making it impossible to maintain health standard requirements or security, disease carrying rats, dilapidated sewage and plumbing without enough sinks and toilets to handle the tripple capacity growth of Easterling inmate population coupled with poor ventilation.

GROUND TWO: Defendants Beverly Spivey and the Barbour County Environmental Health Department Commission is being sued and prosecuted in their official capacity and individual capacity for acting in concert with the other defendants herein to interfere with Plaintiff Eighth and Fourteenth Amendment rights of the United States Constitution, and for failing to execute their statutory authority to meaningfully inspect Easterling Correctional Facility as required of Defendant Beverly Spivey, et al., pursuant to § 22-2-2(4) and § 22-3-5(3), Ala. Code 1975 and fail to test Easterling foul greasy tasting coloration drinking water Plaintiff is force to drink.

SUPPORTING FACTS: Defendants Beverly Spivey, et al., of the Barbour County Environmental Health Department Commission failed to uphold their statutory authority to meaningfully and properly inspect Easterling Correctional Facility serious condition prejudicial to Plaintiff health and fail to take corrective action in response to these prejudicial conditions such as contaminated drinking water, massive overcrowded dorms, dilapidated plumbing, disease carrying rats and insects, poor ventilation with top bunks locker boxes that block's security view and is an accident waiting to happen. Water testing is

not monthly done by Health Department defendants to uphold the state and Federal pure water act and defendants Statutory duties as required pursuant to § 22-2-2(4) and § 22-3-5(3), Ala. Code 1975.

RELIEF

Plaintiff seek a jury trial pursuant to Rule 38 of the Alabama Rules Civil Procedure and the 7th Amend U.S.C.A. Const. For punitive, nominal, mental anguish and anxiety Plaintiff seek Monetary damages in the amount of Five million dollars. For Criminal Conspiracy Charges Plaintiff seek Federal Criminal prosecution from the United States Attorney for the middle District of Alabama against all defendants herein acting in concert to interfere with Plaintiff 8th and 14th Amend. U.S.C.A. Const.

DONE this 26th day of December 2006.

Respectfully submitted,
Antonia Washington

VERIFICATION

I verify under penalty of perjury on this 26th day of December 2006, that the information contained herein is true and correct to the best of my knowledge and belief.

Antonia Washington

CERTIFICATE OF SERVICE

I hereby certify this 26th day of December 2006,
that I have served a true and correct copy of the
same upon the defendants Attorney by placing in
the U.S. postal service prepaid.

Antonio Washington
Antonio Washington, Plaintiff
Easterling Correctional Facility
200 Wallace Drive
Clio, AL 36017